

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver of Heritage
Community Bank,

Plaintiff,

v.

JOHN M. SAPHIR; PATRICK G. FANNING;
STEPHEN L. FAYDASH; WILLIAM E.
HETLER; THOMAS JELINEK; LORI A.
MOSELEY; STEPHEN ANTHONY;
JERRY C. BRUCER; JAMES K. CHAMPION;
ANDREW B. NATHAN; and MARY B. MILLS,

Defendants,

Case No. 10-cv-7009

Judge Pallmeyer

NOTICE OF MOTION

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on Tuesday, February 1, 2011, at 8:45 a.m. or as soon thereafter as counsel may be heard, we shall appear before the Honorable Rebecca R. Pallmeyer or whoever may be designed to sit in her stead, in Court Room 2119 of the United States Courthouse, 219 South Dearborn Street, Chicago, Illinois, and then and there present Defendant Mills' Motion to Dismiss FDIC's Complaint.

Dated: January 24, 2011

Respectfully Submitted,

MCBREARTY, HART & KELLY, L.C.

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